

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of	)	
	)	
Video Description: Implementation of the Twenty-	)	MB Docket No. 11-43
First Century Communications and Video	)	
Accessibility Act of 2010	)	
	)	

To: The Commission

**COMMENTS OF THE CONSUMER ELECTRONICS ASSOCIATION**

The Consumer Electronics Association (“CEA”)<sup>1</sup> is pleased to provide comments in response to the Commission’s Notice of Proposed Rulemaking to reinstate its video description rules,<sup>2</sup> as directed by the Twenty-First Century Communications and Video Accessibility Act of 2010 (the “Communications and Video Accessibility Act” or “CVAA”).<sup>3</sup> CEA and its members are committed to the goals of the CVAA<sup>4</sup> and to ensuring that blind and low-vision consumers

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<sup>1</sup> CEA’s more than 2,000 member companies lead the consumer electronics industry in the development, manufacturing and distribution of audio, video, mobile electronics, communications, information technology, multimedia and accessory products, as well as related services, that are sold through consumer channels. Ranging from giant multi-national corporations to specialty niche companies, CEA members cumulatively generate more than \$186 billion in annual factory sales and employ tens of thousands of people.

<sup>2</sup> *Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act*, MB Docket No. 11-43, Notice of Proposed Rulemaking, FCC 11-36 (rel. Mar. 3, 2011) (“NPRM”).

<sup>3</sup> Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-260, 124 Stat. 2751 (2010) (as codified in various sections of Title 47 of the United States Code). The law was enacted on October 8, 2010 (S. 3304, 111th Cong.). *See also* Amendment of Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-265, 124 Stat. 2795 (2010), also enacted on Oct. 8, 2010, to make technical corrections to the CVAA and the CVAA’s amendments to the Communications Act of 1934.

<sup>4</sup> *See generally* Comments of the Consumer Electronics Association, CG Docket No. 10-213 (filed Apr. 25, 2011).

have access to television service. Specifically, CEA supports the Commission’s adoption of A/53 Part 5: 2010.

The *NPRM* seeks comment on the reinstatement of the Commission’s video description rules from 2000, including the proposed adjustments to accommodate the dramatic shift from analog to digital television.<sup>5</sup> The Commission is correct in noting that, unlike analog secondary audio program (“SAP”), “digital technology allows simultaneous transmission of a variety of program-related secondary audio tracks.”<sup>6</sup> The Commission also notes that “full-power television broadcasters nationwide completed their transition to digital-only broadcasting” on June 12, 2009.<sup>7</sup> Furthermore, the majority of MVPDs are either fully digital or have transitioned a substantial portion of their programming to digital format. CEA, therefore, fully supports the Commission’s intention to extend the reinstated rules to cover video programming transmitted in digital format.

In the *NPRM*, the Commission seeks comment on its proposal to update the video description rules to “incorporate A/53 Part 5: 2010.”<sup>8</sup> This most recent version of the Advanced Television Systems Committee (“ATSC”) digital television audio standard reflects careful deliberation on the best way to encode and signal the presence of audio streams, including those containing video description. CEA urges the Commission to adopt A/53 Part 5: 2010, as proposed. The concept of mixing the narrative audio track with the regular audio track in the receiver was abandoned in the 2010 revision for good reason and with the consent and approval

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<sup>5</sup> See, e.g., *NPRM* ¶ 27.

<sup>6</sup> *Id.* ¶ 15.

<sup>7</sup> *Id.* ¶ 27.

<sup>8</sup> *Id.* ¶ 31.

of the ATSC. The industry has learned that an overabundance of options leads to different implementation choices and possible failure to interoperate. ATSC rightfully pruned this option, recognizing that keeping video description as a separate, full-service audio stream avoids the problem of finding and synchronizing separate audio streams, not to mention the difficulty of maintaining separate, but associated, audio streams through the creation and distribution chain. CEA is not aware of any television receivers that support mixing audio streams and believes that it would be a tremendous disservice to perpetuate an approach that the industry never implemented and purposefully wrote out of the standard.<sup>9</sup>

The in-depth debate and discussion that resulted in A/53 Part 5: 2010 led to subsequent, extensive CEA work to provide guidance on how receivers should find and make available audio streams associated with a given video program. This work, achieved by consumer electronics industry volunteer experts involved in CEA's standards and technology activities, is now being balloted as CEA-CEB21, *Recommendation for Selecting and Presenting DTV Audio*. A/53 Part 5: 2010 makes clear that the audio stream containing video description should be marked as "full service" and "Visually Impaired" with the language of the audio stream signaled in the language code. Signaling video description as "full service" and "Visually Impaired" may not have been the practice in the past and many legacy TVs may only present audio streams marked as "complete main." It is important that the industry as a whole begin following A/53 Part 5: 2010

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<sup>9</sup> In visits to the FCC on March 22, April 11 and April 19, 2011, Dolby Laboratories, Inc. ("Dolby") used the reintroduction of video description to resurrect the debate over mixing audio at the decoder. The industry abandoned this idea and codified the more robust approach captured in A/53 Part 5: 2010. Doing anything other than adopting this version of the standard would cause unnecessary delays in getting video description to consumers who need it, while creating unintended consequences, such as a costly mandate for dual Dolby decoders in receivers and burdening the entire distribution system with maintaining perfect association between two separate audio streams. See Ex Parte Notices of Dolby Laboratories, Inc., MB Docket No. 11-43 (filed Mar. 23, Apr. 12 & Apr. 20, 2011).

for delivery of video description. CEA commits to educating the receiver industry on proper discovery and presentation of video description through CEA-CEB21 and will work with broadcasters to maximize video description reception in both legacy and future TVs.

The *NPRM* also addresses pass-through of video description in MVPD networks. CEA notes that MVPD set-top boxes generally terminate the compressed video and audio streams and provide the selection function to choose which audio stream will be made available to the television. In this situation, video description does not “pass through” in the form of a separate audio elementary stream. MVPDs need to ensure that set-top boxes provide a means to select video description and then present that audio in place of the normal program audio on the interface to the television. In the case where an MVPD network is accessed directly by a consumer-owned device, such as a digital cable-ready TV, video description must pass through the network and be signaled in accordance with the standard governing program information for that network.

In conclusion, consistent with its commitment to the CVAA's goals and to ensuring television access for blind and low-vision Americans, CEA supports the Commission's adoption of the ATSC A/53 Part 5: 2010 standard.

Respectfully submitted,

CONSUMER ELECTRONICS  
ASSOCIATION

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